

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION NO. 9485 OF 1995

Coram : Ms R.M. Doshit, J.

5th July, 1996

Oral Order :

Heard Mr Y N Oza, learned advocate for the petitioner.

2. The petitioner is a Senior Assistant working under the respondent Corporation. He has been issued a charge sheet by communication dated 12.6.1995 for the irregularities which have been committed by him. The petitioner has filed this petition for quashing the said charge sheet.

3. Pending this petition, an inquiry proceeded further against the petitioner and the Inquiry Officer has submitted his report to the Competent Authority on 10.10.1995. The Inquiry Officer has reported that the first charge levelled against the petitioner was partly proved and the second charge levelled against the petitioner was wholly proved. Pursuant to the submission of the inquiry report, the respondent Corporation has issued a notice dated 4.11.1995 to the petitioner to show cause why he should not be punished by imposing a penalty enumerated in the Discipline and Appeal Rules, 1984. The petitioner has also submitted his reply to the said show cause notice. Learned Advocate Mr Oza states that though he has already filed his reply to the show cause notice, no subsequent order has been made by the respondent Corporation.

4. Since the inquiry has proceeded further and is almost completed, I do not consider it right to quash the charge sheet at this stage. I have not examined the merits of the petitioner's claim either.

5. Learned advocate Mr Oza has further submitted that other Officers of the Corporation are involved in the similar misconduct of indulging into black marketing and the Corporation should be directed to enquire against such erring officers. I do not consider it right to issue any such directions to the Corporation. The Corporation shall look after its own administration and must take action against the erring officers on its own without any direction from this Court.

6. In the circumstances, the petition is rejected summarily.

Sd/-

5/7/1996 (Ms R.M. Doshit, J.)